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## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

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27 UNITED STATES OF AMERICA ) Case No. 2:18-cr-81-RFB-VCF  
28 Plaintiff, ) MOTION FOR ORDER OF DISMISSAL  
29 vs. )  
30 RODOLFO MOJICA-VALLE, )  
31 Defendant. )

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custody by U.S. Department of Homeland Security, Immigration and Customs Enforcement pursuant to a Notice of Reinstatement of Prior Removal on or about April 6, 2018.<sup>1</sup> ECF #17.

3. On April 21, 2018, the defendant was removed from the United States to Mexico by the U.S. Department of Homeland Security, Immigration and Customs Enforcement. There is no indication that the defendant has since returned to the United States.

## CONCLUSION

For the foregoing reasons, the Government respectfully requests that the Court grant it leave to dismiss without prejudice the above captioned case.

DATED this 1st day of May, 2018.

Respectfully submitted,

DAYLE ELIESON  
United States Attorney

/s/ Kathryn C. Newman

KATHRYN C. NEWMAN  
Assistant United States Attorney

<sup>1</sup> The parties filed a stipulation with the Court on April 17, 2018, which asserted that “The defendant is incarcerated and does not object to the continuance.” The defendant was still in the Nevada Southern Detention Center, but had been transferred from the custody of the U.S. Marshals Service to that of U.S. Department of Homeland Security, Immigration and Customs Enforcement.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA ) Case No. 2:15-cr-81-RFB-VCF  
vs. )  
Plaintiff, ) ORDER OF DISMISSAL  
vs. )  
RODOLFO MOJICA-VALLE, )  
Defendant. )

IT IS HEREBY ORDERED THAT:

(1) Upon Motion of the Government and pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, Leave of Court is granted for the filing of the Government's Motion for Order of Dismissal.

(2) The Indictment in the above captioned case that was filed on March 21, 2018, is hereby ordered dismissed without prejudice.

DATED this 2nd day of May 2018.

 RICHARD F. BOULWARE, II  
United States District Judge

**RICHARD E. BOH**